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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/686,414

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Anssi Lindqvist

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SUITE 1210

NEW YORK, NY 10176

EXAMINER

GESESSE, TILAHUN

ART UNIT

PAPER NUMBER

2684

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/686,414

Applicant(s)

LINDQVIST ET AL.

Examiner

Tilahun B Gesesse

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/14/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/14/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 16 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The WWW is not a specific address to change the user profile.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwahara et al (US patent no. 6,389,288) in view of Phillips (US patent no. 6,748,195).

Regarding claim 1, Kuwahara discloses a method for determining, storing and utilizing operating mode data of a user terminal in a telecommunication system in which a selected one of a plurality of user terminal operating modes is settable by the user (see figures 19-21, column 14, lines 42-57) comprising the steps of:

Kuwahara discloses selectively changing, by the user, the user terminal operating mode from a first operating mode to a second operating mode of the user terminal' (column 23, lines 1-43).

Kuwahara discloses the transmitted information regarding the selective change in user terminal operating mode from the first operating mode to the second operating mode so as to dynamically maintain on the telecommunication server current operating mode data of the user terminal (see figure 19 and column 9, lines 30-58)

Kuwahara discloses operation mode is based on the location registration. However, Philips discloses wireless device operates in communication system (10) (see figure 1 and column 3, lines 19-33 and column 3, line 61-column 4 line 65). It would have been obvious to one of ordinary skill in the art at time of the invention was made that a network functions operate by server such as management or transmitting commands to users terminal in the process of storing, determining and making changes to it profile.

Regarding claim 2, Kuwahara discloses providing, at the telecommunication sewer, the current operating mode data of the user terminal in a user-specific form browsable by other users (see figure 19).

Regarding claim 3, Kuwahara discloses the user-specific form browsable by other users is divided into plural visibility Levels (figure21).

Regarding claim 4, Kuwahara does not expressly disclose the browsable current operation mode data. However, Philips teaches linked to together by a set of standard protocol such as WAP see column 3, line 20-32). It would have been obvious to an artisan of ordinary skill in the art at the time of invention was made to display the operation modes for the user, to show the user operation mode appropriate at the particular place.

Regarding claim 5, Kuwahara discloses providing delivering, from the telecommunication server to other users, the current operating mode data of the user terminal in a user-specific form screen by the other users (column 9, lines 30-58)

Regarding claims 6-7, Kuwahara discloses providing limiting the other users to which the current operating mode data of the user terminal is delivered from the telecommunication server (see figure 19).

Regarding claim 8, Kuwahara discloses providing storing on the telecommunication server further comprises storing on the telecommunication server at least one of an identity of the user, an identity of the user terminal, an other terminal through which the user can be reached at an other time, terminal setting data for reaching the user, a type of telecommunication connection available for reaching the user, an IP address of the user terminal, and location data of the user terminal (column 9, lines 30-58).

Regarding claim 9 Kuwahara discloses automatically transmitting from the user terminal to a telecommunication server of the telecommunication system, via the telecommunication network and without other action by the user, information regarding the selective change in user terminal operating mode from the first operating mode to the second operating mode when the operating mode of the user terminal is selectively changed by the user (the location based operation transmits to network as location registration , see figure 19 and column 9, lines 15-30).

Regarding claim 10, Kuwahara discloses manually, by the user, transmitting from the user terminal to a telecommunication server of the telecommunication system, via the telecommunication network, information regarding the selective change in user terminal operating mode from the first operating mode to the second operating mode (see figure 19, when the user moves from zone to zone the operation of the terminal changes and retrieve by the network and column 8, line 38-65)..

Regarding claims 11-13, Kuwahara discloses sending, from the telecommunication server to the user terminal, in response to receipt by the telecommunication network of the information regarding the selective change in user terminal operating mode from the first operating mode to the second operating mode, and based on the received information, data relating to modifications to an operating environment of the user terminal and modifying the user terminal operating environment for consistency with the operating environment modification data received by the user terminal from the telecommunication server (see figure 19, when the user moves from zone to zone the operation of the terminal changes and retrieve by the network).

Regarding claims 14-15, Kuwahara discloses transmitting in conjunction with the information regarding the selective change in user terminal operating mode from the first operating mode to the second operating mode, from the user terminal to the telecommunication server via the is identity data identifying one of the user and the user telecommunication network terminal, altering, in the telecommunication server based on the received identify data, a user reachability chain associated with user reachability management for consistency with the transmitted information regarding the selective

Art Unit: 2684

change: in user terminal operating mode and modifying call control for the user in accordance with the altered user reachability chain (see figure 19 and column 9, lines 30-58).

Regarding claims 16 and 18. Kuwahara does not expressly disclose the user-specific reachability profile is changeable. However, Philips teaches linked to together by a set of standard protocol such as WAP see column 3, line 20-32). It would have been obvious to an artisan of ordinary skill in the art at the time of invention was made to display the operation modes for the user, to show the user operation mode appropriate at the particular place.

Regarding claim 17, Kuwahara discloses the user terminal is mobile station of the user (see figure 19).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 19-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuwahara.

Regarding claim 19 Kuwahara discloses a system for determining, storing and utilizing operating mode data of a terminal in a telecommunication system, (see abstract and figure 3) comprising:

Kuwahara discloses a telecommunication network (see figure 6)

Kuwahara discloses a user terminal operable for communicating with the telecommunication network and a telecommunication server (see figure 6 item # 41)

Kuwahara discloses connected to the telecommunication network for dynamically maintaining active operating mode data of the user terminal (based of location or zone dynamically maintaining active operating mode data of the user terminal , see figure 19 and column 14, lines 42-57).

Regarding claim 20, Kuwahara discloses at least one memorandum containing information relating to at least one of terminals connected to the telecommunication network and users of the connected terminals (see figure 19).

Regarding claim 21. Kuwahara discloses an application server connected to the telecommunication server for storing settings of applications and operations associated with different operating modes of the user terminal and for transmitting, to the user terminal, applications and operations settings required by the terminal for each of the different operating modes of the user terminal (column 14, lines 42-57 and figure 19)

Regarding claim 22. Kuwahara discloses at least one user-specific reachability profile defining a reachability chain (see figures 6 and 19).



Regarding claim 23, Kuwahara discloses a call control system connected to the telecommunication server for controlling call setup in accordance with a selected reachability chain (see figures 6 and 19 and column 14, lines 42-57)

Regarding claim 24, Kuwahara discloses call control system comprises an intelligent network (see column 4, line 18-column 5, 39) .

Regarding claim 25. Kuwahara discloses the user terminal comprises a mobile station (see figure 19).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Phillips (US patent No. 6,748,195) discloses a wireless device users profiles associated with one or more contexts, which defines various operating situations the wireless device changes it operation behavior in accordance with a defined profile, see abstract and figures 5-9).

Colonna et al (US patent no. 6,115,620) discloses a portable communication device 100 a method of mode switching in the radiotelephone determine if the user desires to operate the speaker earphone mode and private mode see column 12, line 62-coumn 13, line 40 and figure 11).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

Art Unit: 2684

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Tilahun Belg* 5/24/05  
**TILAHUN GESESSE**  
**PRIMARY EXAMINER**